

it would be to the best interest of all the parties to have the said real estate sold and the proceeds divided among them according to their respective interests. It could not be divided without less and injury because there are a number of properties all of different values.

To Gen. Int.

No, sir.

Edward J. Winebrenner, Jr.

Frank Suman, a witness of lawful age produced on the part of the plaintiffs having been duly sworn, deposes and says--

My name is Frank Suman, I am 46 years of age, I reside in Frederick City Maryland. I heard the testimony given by Edward J. Winebrenner, Jr., I know the real estate described in this case, I look at exhibit 2 and 3, and they correctly describe the real estate of which Caroline M. Winebrenner died seized and possessed. I know all the parties to this cause and their names, ages and residences, were correctly given by the previous witness; These properties are worth respectively about (1) \$3,000.00; (2) 3800.00; and (3) -7500.00.

These properties being of different values are not susceptible of partition or division amongst the parties entitled to interests therein without great loss and injury to them and it would be advantageous to the interest of all parties to have the real estate all of it sold under a decree of the Court and the proceeds divided among the parties entitled thereto.

To Gen. Int.

Nothing More.

7501

Frank Suman.

Samuel E. Winebrenner, one of the plaintiffs having been duly sworn deposes and says--

My name is Samuel E. Winebrenner. I am 50 years of age, reside in Frederick City Maryland, and am one of the Plaintiffs in this cause. I heard the testimony as given by my brother Edward J. Winebrenner, and his evidence as to the property and heirs at law is correct as stated by him. The names, ages, residents of the parties entitled to interests in the real estate in this cause described were correctly stated by witness Edward J. Winebrenner, jr. These properties are worth about the following amounts, respectively, (1) \$3500.00; (2) \$3700.00, (3) about \$9,000.00 to \$10,000.00.

These properties are not susceptible of division or partition among the parties entitled to interest therein without loss and injury, and it would be to the advantage of all the parties and especially the infants, as there is no one lawfully qualified to look after their interest that the real estate be sold and the be divided among the parties entitled according to their respective rights and interests, Mother, Caroline M. Winebrenner died July 9th 1912.

To gen. int.

I thing not.

Samuel E. Winebrenner.

No other witness being named or produced before me and no further time being required for the examination of witnesses or the taking of further testimony in said cause, I then at the request of the solicitor for the complainants closed the depositions so taken by me and now return the same to your Honorable Court signed by the several witnesses at the City of Frederick, State of Maryland this 13th day of August, A. D. 1912. Witness my hand and seal.

D. Princeton Buckey, Examiner

(seal)